REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-27 and 30-31 are pending, Claims 1, 15, 22, 23 and 30-31 having been amended by way of the present amendment. Support for the amendment is found at least in the last paragraph of page 9 and therefore no new matter is added.

In the outstanding Office Action, Claims 1, 6-15, 17-19, 22-23 and 25-27 were rejected as being unpatentable over Wang et al. (U.S. Patent No. 7,200,683, hereinafter "Wang") in view of Ceulaer et al. (U.S. Patent Publication No. 2002/0047860, hereinafter "Ceulaer"); Claim 2 was rejected as being unpatentable over Wang in view of Ceulaer and in further view of Soepenberg et al. (U.S. Patent Publication No. 2002/0059645, hereinafter "Soepenberg"); Claims 3-5, 16 and 24 were rejected as being unpatentable over Wang in view of Ceulaer and in further view of ETSI TS 101 812 V1.1.1, "Digital Video Broadcasting Multimedia Home Platform Specification 1.0 (hereinafter "ETSI"); and Claims 20-21 were rejected as being unpatentable over Wang in view of Ceulaer and in further view of Woodruff (U.S. Patent No. 2003/0046592, hereinafter "Woodruff").

Claim 1 has been amended to define a MHP terminal device that among other things includes a local interface for connecting the MHP terminal device to a local network. The interface also receives local network transport streams emanating from other network devices connected to the local network so that local network MHP applications provide user interface resources according to the MHP standard to be launched at the MHP terminal device are transmitted within the local network transport streams and are received via the local network interface. This feature is included in Claim 1, and is believed to be absent from Ceulaer and Wang. Neither Ceulaer nor Wang refer to local networks and instead are directed to

broadcast transport streams. According to Claim 1, the network applications which are transmitted within the local network transport streams are MHP applications.

In the outstanding Office Action, especially at page 4, the Office Action recognizes that Wang does not disclose the terminal device that is an MHP device or that MHP applications are being sent through the broadcast stream. Consequently, this dictates that Wang does not teach that MHP applications are being sent through the local network transport stream, which is a different entity from the broadcast transport stream. Therefore, Wang cannot fairly be asserted as teaching that the terminal device is an MHP device capable of handling two different transport streams, namely a broadcast transport stream and a local network stream, and therefore does not teach applications transmitted within the local network transport streams being MHP applications.

Regarding Ceulaer and a MHP set-top box, Ceulaer does not relate to a second transport stream that may also be handled by a set-top box (i.e., the terminal device). The Office Action asserts that a combination of Ceulaer and Wang would render it obvious to incorporate MHP capabilities of Ceulaer's MHP set-top box to Wang's device in order to integrate MHP technology for handling a data stream. However, this combination neither teaches nor suggests the idea of allowing a second data transport stream (e.g., a local network transport stream as well as a broadcast stream). Thus, the type of local network transport stream would, of course, not result in any reasonable way from any combination of Wang in view of Ceulaer.

Furthermore, since local network applications may all be launched at the MHP device and that they are transmitted within the local network transport streams and that these applications are specific MHP applications, these features are neither anticipated nor rendered obvious in view of Ceulaer and Wang based on the above discussion.

In order to further highlight the difference between the specific MHP application and general discussion of MHP according to Wang, Claim 1 has been amended to require "providing user interface resources according to the MHP standard". Support is found in the last paragraph at page 9 of the present specification, where it described that an MHP application usually provides user interface resources, wherein it is also taught that the MHP standard includes definitions for all user interface resources. Introducing these specifications of the MHP application transmitted within the local network transport streams, there is a clear difference between the present claim, and either Wang, or Soepenberg (as it applies to Claim 2). Moreover, Soepenberg describes embedding objects in an MPEG 2 stream but does not relate to any specific MHP application that provides user interface resources according to the MHP standard within a local network transport stream.

As such it is respectfully submitted that the subject matter of Claim 1 patentably defines over the asserted prior art. Although of differing statutory class and/or scope, it is respectfully submitted that Claims 6-15, 17-19, 22-23 and 25-27 also patentably define over Wang in view of Ceulaer (as well as Claims 30 and 31 which the Office Action does not address).

Once again with regard to Claim 2, the Office Action asserts that Wang in view of Ceulaer does not teach the local network transport stream is a data stream according to the MPEG 2 standard. As such, if the Office contends that Soepenberg discloses that the features therein can be used in a MHP environment according to page 3, [0038] of Soepenberg, a combination of Soepenberg with Wang and Ceulaer might reasonably lead to an implementation of MHP applications within a broadcast transport stream, but not an embedded MHP application within a local network transport stream.

Furthermore, simply because Soepenberg refers to an MHP environment, it is not at all indicative that MHP applications are referred to and in particular that MPH applications

are transmitted between respective devices, independent of whether a broadcast or a local network are employed. As a consequence, the purported combination of Soepenberg, Wang and Ceulaer does not appear to follow directly from the teachings of these references, nor would one of ordinary skill in the art recognize that such a combination is either feasible or practical in light of the teachings of these references. Moreover, this is because Soepenberg describes the features of the system of Soepenberg can "be used in an MHP environment", but Claim 1 does not include this feature. Instead a transport stream is not "used in" an MHP application, but rather an MHP application are transmitted within a transport stream.
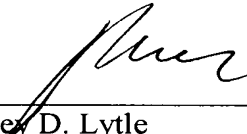
Therefore, it is believed the subject matter of Claim 2 patentably defines over any combination of Wang in view of Ceulaer and in further view of Soepenberg.

Neither ETSI nor Woodruff cure the deficiencies discussed above with regard to independent Claim 1, or the other independent claims from which Claims 3-5, 16, 24 and 20-21 depend. Therefore, it is respectfully submitted that Claims 3-5, 16, 20-21 and 24 also patentably define over Wang in view of Ceulaer and in further view of either Woodruff or ETSI.

Consequently, in view of the present amendment and in light foregoing comments, it is respectfully submitted that the invention defined by Claims 1-27 and 30-31 is patentably distinguishing over the prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

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